

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

PATRICK TODD BAYLIFF,

Plaintiff,

v.

**MARYANNE GAFFNEY-KRAFT,
DR. JOHN BUTTS, KEVIN GERITY,
and DARREN POE,**

Defendants.

1:06CV697

O-R-D-E-R

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on April 13, 2007, was served on the parties in this action. Plaintiff objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED that Plaintiff's complaint [Pleading No. 2] be, and the same is hereby, **DISMISSED** as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B). A Judgment dismissing this action will be entered contemporaneously with this Order.

This the day of July 3, 2007

/s/ N. Carlton Tilley, Jr.
United States District Judge